

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Session

May 3, 2004
8:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Noble, and Councilmembers Balducci, Chelminiak, Davidson, Degginger, and Lee

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:03 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Councilmember Chelminiak led the flag salute.

(a) Proclamation for Police Week and Peace Officers Memorial Day

Mayor Marshall read a proclamation recognizing May 10-16 as Police Week and May 15 as Peace Officers' Memorial Day in Bellevue. Mrs. Marshall invited the public to attend a peace officers' memorial service at 2:00 p.m. on May 16 at Sunset Hills Memorial Park.

Police Chief Jim Montgomery thanked Mayor Marshall for the proclamation. He noted 125 to 150 officers are killed in the line of duty each year in the United States.

3. Communications: Written and Oral

- (a) Gail Stickles recalled the citizen advisory committee created when the Newport Hills area annexed into Bellevue, which immediately began lobbying for a community center in South Bellevue. She thanked Margot Blacker and Treva Searles for their early support of this project and encouraged Council to approve Consent Calendar Item 8(g) regarding Eastgate Park and South Bellevue Community Center.

- (b) Dorothy Reinhart expressed concern about plans to expand the Lochleven Substation in West Bellevue, which she fears will ruin an upscale neighborhood. She encouraged finding a better solution for Puget Sound Energy's expansion plans.
- (c) Charlotte Matsen praised Bellevue's Neighborhood Enhancement Program (NEP). However, she is concerned about the proposed expansion of the Lochleven Substation. She feels electrical capacity to support downtown businesses should be located in commercial areas. Mrs. Matsen said expansion of the substation will cause surrounding residential property values to decrease.
- (d) Laurie Miller expressed concern about the proposed expansion of Lochleven Substation and noted economic, health, and safety impacts. She encouraged a solution that will not adversely affect residential areas.
- (e) Loyd Jacobs referred to his written submittal and expressed support for redevelopment plans for the New City Building. He encouraged Council to consider spending more money to address the building's sharp edges, circular form and insignias, pedestrian entrance, and the concourse termination at Council Chambers. Mr. Jacobs encouraged enhancements to Council Chambers and park landscaping on the south edge of the site that would be accessible to pedestrians.

Councilmember Chelminiak commented that he likes the terraced drawings submitted by Mr. Jacobs and would like to know the cost of such a proposal.

4. Reports of Community Councils, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy announced the City will introduce a new section of its web site on May 10 called the Home and Neighborhood Maintenance Resource Guide. Patricia Knight, Community Outreach Coordinator, said the guide will provide tools and resources related to home and yard maintenance and improvements. Preserving high-quality neighborhoods was identified as a top priority through the West Lake Hills Neighborhood Investment Strategy project.

Councilmember Balducci thanked staff for their efforts and inquired how citizens without computers could access this information. Ms. Knight said information will be provided at the library, where citizens can use computers, as well as through the mini city halls and neighborhood associations. Staff is working to identify additional opportunities for distributing the information. Mayor Marshall suggested the translation of the information into Spanish or another language would be a good Advance Bellevue project.

Mr. Sarkozy described a request by Councilmember Chelminiak to revise language in proposed Resolution No. 6991 [Agenda Item 8(h)] to change "the events of September 11, 2001" to "the attacks of September 11, 2001."

Mr. Sarkozy noted Agenda Item 8(g) regarding the Eastgate Park Master Plan and development of the South Bellevue Community Center which incorporates a partnership with Bellevue Boys and Girls Club.

6. Council Business

Councilmembers Chelminiak and Balducci traveled to Denver with a group organized by the Greater Seattle Chamber of Commerce. Mr. Chelminiak took particular interest in discussions regarding transportation systems, including light rail, and regional cooperation for economic development activities.

Mr. Lee said he and Mayor Marshall attended the Lake Hills Greenbelt Arbor Day/Earth Day celebration. Mr. Lee commended community volunteers for their involvement in the day's activities. He attended a Bellevue Chamber of Commerce luncheon.

Deputy Mayor Noble attended meetings of the Trans-Lake Executive Committee (with Mayor Marshall), Eastside Human Services Forum, and Eastside Transportation Partnership. The Eastside Human Services Forum is planning a two-hour workshop for elected officials on June 8. Mrs. Marshall and Mr. Noble met with members of the Kirkland City Council regarding solid waste and transfer station issues.

Mr. Degginger attended the groundbreaking ceremony for Lewis Creek Park, along with Councilmembers Chelminiak and Lee. Mr. Degginger attended meetings of the Planning Commission and Cascade Water Alliance. As Council liaison to the Issaquah School Board, he met with the Issaquah School Board President and ISD Superintendent.

Ms. Balducci attended a meeting of the King County members of Puget Sound Regional Council's Transportation Policy Board and a West Lake Hills NIS open house.

Dr. Davidson attended a one-day workshop of the WRIA 8 Steering Committee and a Cascade Water Alliance meeting.

Mayor Marshall thanked Councilmembers for their hard work throughout the week. She and Mr. Degginger attended a function at the Museum of History and Industry in Seattle in which Bellevue 50Fest was honored with the regional Single-Most Impact Event award. Mayor Marshall noted the Sound Transit Board is scheduled to make a decision on May 20 regarding RTID funding. Dr. Davidson requested an update on the issues during the May 17 Council meeting.

7. Approval of the Agenda

➡ Deputy Mayor Noble moved to approve the agenda, and Mr. Degginger seconded the motion.

➡ The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

Mayor Marshall noted Mr. Chelminiak's request to pull item 8(d) and Mr. Lee's request to pull item 8(e) from Consent Calendar approval.

- ➡ Deputy Mayor Noble moved to approve the Consent Calendar, as amended to delete items (d) and (e) and to revise the language in item (h) as presented in Council's desk packet. Mr. Lee seconded the motion.
- ➡ The motion to approve the Consent Calendar, as amended, carried by a vote of 7-0, and the following items were approved:
 - (a) Minutes of April 12, 2004 Extended Study Session
 - (b) Motion to approve payment of claims for the period March 26 through April 16, 2004, and payroll for the period March 16 through March 31, 2004.
 - (c) Resolution No. 6986 authorizing execution of a professional services contract with Clark Nuber P.S. for accounting oversight services for the Bellevue Convention Center Authority (BCCA) for a 4-year term ending June 30, 2008.
 - (f) Resolution No. 6988 authorizing amendment of Contract No. 029201 with John Deere Credit, Inc. and final payment on the lease purchase agreement approved in 2000 for sanding equipment at the Bellevue Golf Course.
 - (g) Eastgate Park/South Bellevue Community Center
 - (1) Resolution No. 6989 adopting the Eastgate Park Master Plan for the park property located at 14501 SE Newport Way. *(Discussed with Council on April 26, 2004.)*
 - (2) Resolution No. 6990 authorizing execution of an agreement with Bellevue Boys and Girls Club (BBGC) setting forth the roles, responsibilities, and rights of the two parties regarding the construction, funding, and operations of the South Bellevue Community Center and authorizing entering into an operating agreement with the BBGC as set forth in this agreement. *(Discussed with Council on April 26, 2004.)*
 - (h) Resolution No. 6991 affirming the Emergency Declaration of the City Manager authorizing staff to waive the contract bidding process for purchase of equipment for water system security purposes, and authorizing staff to enter into a purchase agreement for security equipment with Statewide Security Systems in an amount not to exceed \$81,984.15. (CIP Plan No. W-95, Water System Security Enhancements, Utility CIP Fund 4690)

- (i) Resolution No. 6992 authorizing the City Manager to execute the Commercial Food Waste Pilot Implementation Agreement with King County and Rabanco. *(This pilot program was included as an element of the new solid waste contract.)*
- (j) Resolution No. 6993 authorizing execution of a final settlement filed against the City of Bellevue for property damage to the Leen residence from an erosion event that occurred due to a blocked surface water drainage line.

Items for Council Discussion:

- (d) Ordinance No. 5519 relating to purchasing; adopting and amending procedures with respect to public works contracts, leases, purchases, the procurement of recycled and recyclable products and other contracts; and amending Chapter 4.28 of the Bellevue City Code and Ordinance Nos. 3593, 4320, 4040, 4888, and 4968.

Councilmember Chelminiak referenced Section 4.28.040 of proposed Ordinance No. 5519 (Page 8-10) and expressed concern that the threshold for competitive bidding is based on unit cost and not total cost. Earle Stuard, Finance Assistant Director, said the current ordinance has been interpreted to refer to unit cost for many years. This is intended to provide better control over whether bidding is appropriate. In further response, Mr. Stuard said the proposed increased threshold of \$50,000 is consistent with public works bidding requirements and the threshold for Council award of service contracts.

Mr. Degginger concurred with Mr. Chelminiak's concerns. Finance Director Jan Hawn reiterated that the purpose of the \$50,000 threshold is to provide consistency across City departments and functions.

Mr. Lee is opposed to increasing the bidding threshold to \$50,000. He suggested the lower threshold might encourage bids from smaller companies.

Mr. Chelminiak reiterated his concern that several units of an item with a unit cost below \$50,000 could be purchased without going through a competitive bidding process. However, the total purchase price could be quite high. Mr. Sarkozy acknowledged that the definition of a unit causes confusion. He suggested additional staff review to incorporate Council's concern.

Mayor Marshall noted Council consensus to postpone action on this item pending further staff review.

Mr. Chelminiak questioned the implications of adopting the proposed requirement for a five percent bid proposal deposit. Referring to Section 4.28.090 (Page 8-13), he suggested reports regarding emergency procurements should be provided at the "next practicable City Council meeting." Mr. Chelminiak also questioned the noticing requirement and expressed a preference to advertise in only one newspaper rather than two.

Responding to Mr. Degginger, Ms. Hawn said a discussion regarding contract-related risk management and insurance issues is scheduled for a Council meeting in late June. Mr. Degginger would prefer to have that discussion sooner. However, Ms. Hawn explained the need to hire a consultant to review the City's contracts and develop recommendations for the June report.

Responding to Mr. Lee, Mr. Stuard said the City routinely advertises in minority newspapers for major construction projects. Mr. Lee suggested contractors should be encouraged to advertise in minority newspapers as well for subcontractors.

- (e) Resolution No. 6987 authorizing execution of a distribution agreement with King County to accept specialized equipment from the King County Office of Emergency Management and a corresponding certifications/assurances agreement to support responses to hazardous materials and weapons of mass destruction.

Responding to Councilmember Lee, Fire Chief Peter Lucarelli discussed King County's role in regional emergency management. Funding for the specialized equipment reflected in Resolution No. 6987 is provided by the federal department of Homeland Security. Counties are responsible for coordinating the distribution of funds. King County Emergency Management collaborated with fire departments, law enforcement, hospitals, and others to ensure that needs were identified and funded. In further response, Chief Lucarelli said King County did not retain any of the funds provided in this particular grant. Percentages retained by states and counties vary depending on the nature of the grant.

☞ Mr. Lee moved to approve Resolution No. 6987, and Mr. Noble seconded the motion.

☞ The motion to approve Resolution No. 6987 carried by a vote of 7-0.

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) NE 10th Street Extension and Overlake Hospital Medical Center (OHMC) Expansion (Discussed with Council during February 2 and March 29, 2004, Study Sessions)

- (1) Resolution No. 6994 authorizing execution of a professional services agreement with CH2M Hill for the NE 10th Street extension/Overlake Hospital Medical Center expansion Master Plan.

Carol Helland, Land Use Division Director, recalled previous Council discussion on March 29 and Council action on April 5 authorizing the City Manager to enter into a four-party agreement associated with the completion of an EIS (environmental impact statement) for the NE 10th Street extension and Overlake Hospital Medical Center Expansion Master Plan. CH2M Hill has been

selected through a competitive bid process to prepare the EIS subject to approval by Council of the scope of work. The proposed scope of work, with a total estimated cost of \$230,000, is provided in Council's desk packets. Ms. Helland said CH2M Hill participated in preparing the EIS for the Downtown Implementation Plan.

➡ Dr. Davidson moved to approve Resolution No. 6994, and Mr. Noble seconded the motion.

➡ The motion to approve Resolution No. 6994 carried by a vote of 7-0.

- (2) Ordinance No. 5520 amending the 2003-2009 CIP Plan to create a new CIP project – I-405 Access Design Options (Proposed CIP Plan No. PW-R-148) and authorizing execution of all documents necessary with the Washington State Department of Transportation for the acceptance of \$500,000 in federal Surface Transportation Program funds.

Kris Liljeblad, Transportation Assistant Director, explained that Ordinance No. 5520 is a proposed amendment to the CIP (Capital Investment Program) Plan to create a new I-405 Access Design Options Project. It would authorize the City Manager to execute a grant agreement with WSDOT to accept \$500,000 in federal funds to accelerate design work for I-405 access associated with NE 2nd and NE 10th Streets as recommended through the Downtown Implementation Plan update process.

➡ Mr. Lee moved to adopt Ordinance No. 5520, and Mr. Noble seconded the motion.

➡ The motion to adopt Ordinance No. 5520 carried by a vote of 7-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:03 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich
City Clerk

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